

AMENDMENT
U.S. Appln. No. 10/663,841

REMARKS

Upon entry of the claim amendments, Claims 1-2 and 4-25 will be all the claims pending in the application.

The subject matter of Claim 3 has been incorporated into Claim 1. Amended Claim 1 is also supported by, for example, the description at the first full paragraph at page 18 of the specification. Claim 3 has been canceled.

Claims 2, 4, and 7 have been amended to render them consistent with amended Claim 1.

Editorial amendments have been made to Claim 9.

No new matter has been added.

Referring to Section No. 4 at page 3 of the Office Action, Applicants affirm their election of Group I, Claims 1-9.

The Office Action contains a single rejection. Specifically, Claims 1-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0037176 ("US '176") in view of U.S. Patent No. 6,080,534 ("US '534"), U.S. Patent No. 5,885,698 ("US '698"), and U.S. Patent No. 6,444,383 ("US '383").

Applicants respectfully traverse. US '176 in view of US '534, US '698 and US '383 does not disclose or suggest the image-receiving sheet of Claim 1 and its dependent claims.

Claim 1 is directed to an image-receiving sheet for electrophotography. Claim 1 requires the sheet to comprise a support and at least one toner-image-receiving layer over the support. Claim 1 also requires the support to comprise a base and a resin layer disposed on at least on side of the base. Claim 1 further requires the resin layer arranged between the toner-image-receiving layer and the base to contain at least one polyethylene resin having a mass-average density of 0.935 g/cm³ or less. Claim 1 still further requires the resin layer arranged between the toner-image-receiving layer and the base to contain a polyethylene resin having a melt flow rate (MFR) of 11 g/10 min. or less.

AMENDMENT

U.S. Appln. No. 10/663,841

The image-receiving sheet of Claim 1 achieves excellent technical features, such as, for example, desirable glossiness and an image quality which is equivalent to silver halide film photos. Applicants refer, for example, to page 5, lines 1-16, page 16, line 17, through page 18, line 1, and the Examples.

The prior art, whether taken alone or in the particular combination proposed by the Examiner, does not disclose or suggest the structural and compositional features noted above for the image-receiving sheet of Claim 1, nor would the excellent technical features attained by the image-receiving sheet of Claim 1 have been expected from the cited prior art.

The primary reference, US '176, discloses an electrophotographic transfer sheet which contains a photographic paper substrate as a base, which is obtained by forming coating layers formed with polyethylene, an image-receiving layer on one surface of the substrate, and a back layer on the other surface thereof. Applicants refer to FIG. 3 and paragraph [0050] of US '176. However, US '176 does not teach or suggest that the polyethylene coating layer arranged between the toner-image-receiving layer and the base contains at least one polyethylene resin having a mass-average density of 0.935 g/cm³ or less and a polyethylene resin having a melt flow rate (MFR) of 11 g/10 min. or less.

The secondary references do not cure the deficiency of US '176 noted above.

US '534 teaches an image element comprising a substrate having at least two polymer layers on the side bearing an imaging layer, one of the at least two polymer layers is a polyethylene layer, and when the image element is used for ink jet printing, an image layer. Applicants refer to column 4, lines 52-27, and column 5, lines 19-27, of US '534. US '534, also teaches that the mass-average density of the polyethylene layer is 0.93 g/cc (=g/cm). Applicants refer to the Examples of US '534.

The image element of US '534, however, is a base mainly designed for photosensitive layers and aims at improving long-term stability to light and dark keeping conditions. In

AMENDMENT

U.S. Appln. No. 10/663,841

addition, US '534 does not suggest the excellent technical features obtainable by the present invention. Therefore, there is no motivation in either US '176 or US '534 to replace the polyethylene coating layer of US '176 with the polyethylene layer of US '534.

Also, US '534 does not teach or suggest the polyethylene layer containing at least one polyethylene resin having a melt flow rate (MFR) of 11 g/10 min or less, such that even if US '176 were to be modified by reference to US '534 as proposed by the Examiner, the modification would not lead to the image-receiving sheet of Claim 1.

US '698 teaches an electrophotographic image-receiving film comprising an image-receiving layer containing a polyester resin having a glass transition point of 35 °C or more, a number-average molecular weight of from 1,500 to 5,000, and a weight-average-molecular weight of from 2,500 to 15,000, wherein the polyester resin is a water-dispersible polymer. Applicants refer to column 5, lines 18-24, and column 6, lines 25-30, of US '698.

US '698, however, does not teach or suggest the polyethylene layer containing at least one polyethylene resin having a mass-average density of 0.935 g/cm³ or less and a polyethylene resin having a melt flow rate (MFR) of 11 g/10 min or less. Thus, even if US '176 were to be modified by reference to US '698 as proposed by the Examiner, the modification would not lead to the image-receiving sheet of Claim 1.

Finally, US '383 comprises a substrate film, a receptor layer and a resistance control layer, wherein the receptor layer contains polyester having a number-average molecular weight of 1500-7000. Applicants refer to FIG. 2 and column 7, lines 26-41, of US '383.

US '383, however, does not teach or suggest the polyethylene layer containing at least one polyethylene resin having a mass-average density of 0.935 g/cm³ or less and a polyethylene resin having a melt flow rate (MFR) of 11 g/10 min. or less. Thus, even if US '176 were to be modified by reference to US '383 as proposed by the Examiner, the modification would not lead to the image-receiving sheet of Claim 1.

For each of the foregoing reasons, the combination of art proposed by the Examiner does not teach or suggest each and every element of Claim 1 and its dependent claims, as required

AMENDMENT

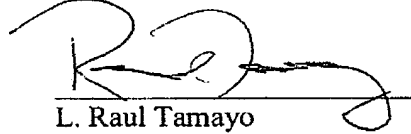
U.S. Appl. No. 10/663,841

under 35 U.S.C. §103. Reconsideration and withdrawal of the §103 rejection of Claims 1-9 is therefore requested.

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



L. Raul Tamayo
Registration No. 47,125

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: July 26, 2005

CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to Examiner Dhirajlal S. NAKARANI at the Patent and Trademark Office on July 26, 2005, at 571-273-8300.

Respectfully submitted,



L. Raul Tamayo